

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TONY MURRAY, #129 256	*	
Plaintiff,	*	
v.	*	2:05-CV-1240-MEF
MS. VELINDA WEATHERLY	*	
Defendant.	*	

O R D E R

Plaintiff, an inmate incarcerated at the Easterling Correctional Facility in Clio, Alabama, filed this 42 U.S.C. § 1983 action on December 30, 2005. He has not submitted the \$250.00 filing fee nor has he filed motion for leave to proceed *in forma pauperis*. Plaintiff, therefore, shall be granted additional time to provide the court with the information necessary for a determination of whether he should be allowed to proceed *in forma pauperis* in this cause of action.

Accordingly, it is ORDERED that:

1. On or before January 25, 2006 Plaintiff submit either the \$250.00 filing fee or file the appropriate affidavit in support of a motion for leave to proceed *in forma pauperis*.¹ Plaintiff is cautioned that his failure to comply with this Order will result in a

¹Plaintiff's motion for IFP status should be accompanied by a prison account statement from the account clerk at the Easterling Correctional Facility showing the average monthly balance in his prison account for the 6-month period immediately preceding the filing of this complaint and the average monthly deposits to his account during the past six months.

recommendation by the undersigned that this case be dismissed; and

2. The Clerk of Court MAIL to Plaintiff a form for use in filing a motion to proceed *in forma pauperis*.

Done this 12th day of January 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE